

**AGENDA  
BOARD OF SELECTMEN  
MONDAY, AUGUST 22, 2016**

**6:30 p.m. – Convene Meeting in Open Session – Waquoit Meeting Room – Mashpee Town Hall**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

**MINUTES**

- Approval of the following: Monday, August 8, 2016 Regular and Executive Session

**APPOINTMENTS & HEARINGS**

- 6:30 – Public Comment
- 6:40 – Review and approval of various Special Event Applications:
  - Church Without Walls, August 28, 2016, *Mashpee Baptist Church*
  - Wedding Rehearsal Clambake, September 23, 2016, *Richard Klein & Karen Faulkner*
  - RUCK 4 HIT 5K, September 25, 2016, *Nicole Spencer*
- 6:45 – Public Hearing: Request for modification of entertainment license, *Barnstable Pizza & Pasta Co. Inc., dba Finally Dino's*
- 7:00 – Catherine Laurent, DPW Director
  - Review and approval of Change Order #3, Route 151 Corridor Engineering Design
  - Approval of temporary placement of Election signs and Town Meeting signs

**COMMUNICATIONS & CORRESPONDENCE**

- 1) Proclamation, *Suicide Prevention Week*
- 2) FY 2018 Budget Schedule
- 3) Selectmen Meeting Schedule, December 2016 through June 2017
- 4) Review of correspondence relative to status of Trust Lands of the Mashpee Wampanoag Tribe

**OLD BUSINESS**

**NEW BUSINESS**

- 1) Review of Draft #2 of the October 2016 Annual Town Meeting Warrant, to include additional Warrant articles proposed for submission by the Board of Selectmen
- 2) Review and execution of Renewal Agreement between the Town of Mashpee and Mashpee Commons, Limited Partnership for the Treatment and Disposal of Wastewater
- 3) Acceptance of resignation from the Community Preservation Committee, *Diane Rommelmeyer*
- 4) Acceptance of resignation from the Mashpee Economic Development and Industrial Corporation, *Theresa "Terrie" M. Cook*

- 5) Acceptance of resignation from the Mashpee Cultural Council, *Madeleine Walsh*
- 6) Approval of appointment to the Planning and Construction Committee, *Thomas J. O'Neill, Architect*
- 7) Approval of appointment to the Human Services Committee, *Ebony Steele*

#### **ADDITIONAL TOPICS**

(This space is reserved for topics that the Chairman did not reasonably anticipate would be discussed)

#### **LIAISON REPORTS**

#### **EXECUTIVE SESSION**

Update on contract negotiations between Town of Mashpee and Mashpee Permanent Fire Fighters Association, IAFF Local 2519, after which, the Board may reconvene in Public Session for a vote on this matter.

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Present: Selectman Gottlieb, Selectman Cahalane, Selectmen O'Hara,  
Selectman Cotton, Selectman Sherman  
Town Manager Rodney C. Collins  
Assistant Town Manager Wayne E. Taylor

Meeting Called to Order by Chairman Gottlieb at 6:30 p.m.  
Mashpee Town Hall, Waquoit Meeting Room

## MINUTES

Monday, August 8, 2016 Regular and Executive Session:

**Motion made by Selectmen Cotton to approve the Regular & Executive Session minutes of Monday, August 8, 2016 as presented.**

**Motion seconded by Selectmen Sherman.**

**VOTE: Unanimous. 5-0.**

### Roll Call Vote:

Selectman Gottlieb, yes	Selectman Cahalane, yes	Selectman O'Hara, yes
Selectman Cotton, yes	Selectman Sherman, yes	Opposed, none

## APPOINTMENTS & HEARINGS

Public Comment: None at this time.

Review and approval of various Special Event Applications:

Church Without Walls, August 28, 2016, Mashpee Baptist Church:

Representatives from the Mashpee Baptist Church were in attendance to request the Board approve a Special Events Application for the annual non-ecumenical prayer service "Church Without Walls" and picnic to be held at the Mashpee Community Park on Sunday, August 28, 2016 from 9:00 a.m. to 4:00 p.m.

The application is approved with requirements imposed by the DPW and Inspections Department to provide 2 to 3 portable restroom facilities in the Community Park parking lot, provide for additional trash, all trash and recycling shall be collected and removed at the close of the event, the location of the tent shall be approved by the DPW, the use of any grills shall comply with Fire Department requirements in terms of location and a permit is required for the tent which is provided by the Sheriff's Department.

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## APPOINTMENTS & HEARINGS

Review and approval of various Special Event Applications: (continued)

Church Without Walls, August 28, 2016, Mashpee Baptist Church: (continued)

**Motion made by Selectman Sherman to approve the Special Events Application of the Mashpee Baptist Church to hold their annual "Church Without Walls" event on Sunday, August 28, 2016 as referenced with the conditions imposed by the Town of Mashpee.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

### Roll Call Vote:

Selectman Gottlieb, yes	Selectman Cahalane, yes	Selectman O'Hara, yes
Selectman Cotton, yes	Selectman Sherman, yes	Opposed, none

Wedding Rehearsal Clambake, September 23, 2016, Richard Klein & Karen Faulkner:

Richard Klein and Karen Faulkner were before the Board to request approval to hold their wedding rehearsal dinner, a clambake on Friday, September 23, 2016 from 4:00 p.m. to 7:00 p.m. at Mashpee-Wakeby Pond. Ms. Faulkner indicated the vendor, Clambakes, Etc. has a certificate of liability insurance, a food establishment license and Serve Safe Certification. It is anticipated that 22 guests would be attending the event.

The application was approved by various Town departments with the following requirements;  
Fire Department – Requirement to obtain propane permit for one year,  
Board of Health – Stipulation to obtain a temporary food permit or catering license for the event,  
Temporary food/catering inspection, portable restrooms to be made available to abate a nuisance, and  
Inspections – Requirement to obtain a permit for the tent.

**Motion made by Selectman Sherman to approve the Special Events Application of Richard Klein and Karen Faulkner to hold a wedding rehearsal/clambake at Mashpee-Wakeby Pond on September 23, 2016 as referenced.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

### Roll Call Vote:

Selectman Gottlieb, yes	Selectman Cahalane, yes	Selectman O'Hara, yes
Selectman Cotton, yes	Selectman Sherman, yes	Opposed, none

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## **APPOINTMENTS & HEARINGS**

Review and approval of various Special Event Applications: (continued)

RUCK 4 HIT 5K, September 25, 2016, Nicole Spencer:

Nicole Spencer met with the Board of Selectmen to review a Special Events Application proposed to hold a 5k race starting and ending at South Cape Beach on Sunday, September 25, 2016 from 4:00 p.m. to 7:00 p.m. The first annual RUCK 4 HIT 5k is a fundraiser to benefit Heroes in Transition's PTSD Programs.

Stipulations imposed by the following Town departments were considered;

DPW – Recommended that participants use the two portable restrooms provided by the Town at the beach and participants utilize the trash and recycling receptacles provided (only water is proposed; no other food or beverage at the event),

Board of Health – Approved with the confirmation there will be no food at the event and portable restroom facilities are available in the parking lot,

Inspections – Requirement to obtain a permit fee for a tent if one is used and a permit for any road signs that may be installed prior to the event.

**Motion made by Selectman Sherman to approve the Special Events Application for the RUCK 4HIT 5K road race on September 25, 2016 at South Cape Beach as referenced.**

**Motion seconded by Selectman Cotton.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

**Selectman Gottlieb, yes**

**Selectman Cahalane, yes**

**Selectman O'Hara, yes**

**Selectman Cotton, yes**

**Selectman Sherman, yes**

**Opposed, none**

Public Hearing: Request for modification of entertainment license, Barnstable Pizza & Pasta Co. Inc., dba Finally Dino's:

The Board of Selectmen acting as the Licensing Authority for the Town of Mashpee opened the Public Hearing to consider a request by Barnstable Pizza & Pasta, Inc. d/b/a Finally Dino's to modify its entertainment license. The hearing notice was read aloud into the record in accordance with posting procedures.

Constantino's Mitrokostas, owner and manager of record was in attendance with his representing counsel Kevin Kirrane to request modification of the subject entertainment license located at 401 Nathan Ellis Highway, Mashpee.

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## APPOINTMENTS & HEARINGS

Public Hearing: Request for modification of entertainment license, Barnstable Pizza & Pasta Co. Inc., dba Finally Dino's: (continued)

To address the noise concerns presented by the abutters, Mr. Mitrokostas indicated he would refrain from use of amplifiers, and the Board of Selectmen thus voted to modify the entertainment license of Finally Dino's on July 11, 2016 for non-amplification of music within the outside patio area. It was also noted that Mr. Mitrokostas and Anthony Pizzo met before the Board of Selectmen two weeks ago to review steps to be undertaken for sound management at the subject establishment.

Attorney Kirrane indicated Mr. Mitrokostas has installed an in-house PA system which is controlled from inside the building to cap or limit the amplified music to be played in the outside patio. In addition, Mr. Mitrokostas has installed sound barriers to muffle the noise from the deck area. Therefore, it is requested the Board of Selectmen reinstate the license of Finally Dino's as it was listed previously for the amplification of live music.

Anthony Pizzo owner of Hangar 18 Engineering designed and installed the sound system to control the outdoor noise emanating from the patio. Mr. Pizzo stated he has installed what was previously discussed, the in-house sound system, sound barriers and a sound limiter. Sound proofing has also been installed along the deck rail and a barrier lined with a layer of MLV has been constructed. With these remedies Mr. Pizzo stated in his opinion, the problem has been solved.

Mr. Pizzo indicated the goal was to limit the sound created by live entertainment in the outside patio to 10 decibels or less above the current or future LEQ ambient noise measurements as taken from Sassacus Road.

The Board opened the hearing to solicit comment.

Bucky Hall, a Falmouth resident and Mashpee taxpayer stated he works for Dino as a musician on a monthly basis with his band the Moonlighters. Mr. Hall indicated Mr. Mitrokostas operates a very good business; he runs a tight ship with good employees. Dino's Sports Bar is noted to be a number one entertainment venue in this area. The Moonlighters have no issue with in-house sound amplification and are willing to work with the new system.

Michael Talbot a resident of 3 Pequot Avenue resides in the area of discussion. Mr. Talbot indicated the noise emanating from Dino's has been intolerable for the past three years. Before a license would be issued Mr. Talbot requested to partake in the testing process to ensure this project will work. Mr. Talbot explained there have been no testing levels with neighborhood participation. This would ensure the noise would not be audible to the neighbors.

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## APPOINTMENTS & HEARINGS

Public Hearing: Request for modification of entertainment license, Barnstable Pizza & Pasta Co. Inc., dba Finally Dino's: (continued)

Maura White of John Pond Estates spoke about her residence abutting the Barnstable County Fairgrounds. With the fair and annual Pow Wow she endures a great deal lot of outside noise. Ms. White stated that Dino has a family business and he should be treated with respect.

Rich Mason of Cotuit indicated he wrote a letter to *Mashpee Enterprise* regarding three neighbors who have brought this issue to the point of where we are at today. Mr. Mason stated it appears the neighbors are trying to create a system of total silence. Mr. Mason explained this situation seems to be polarizing the community, and this presents an opportunity to find some common ground. This particular issue was noted to have impacted Dino's employees. Mr. Mason indicated three people should not be determining what happens to a lot of other people. It is hopeful the Board of Selectmen would consider the rights of the majority.

Mohican Avenue resident Bobby Giangrasso stated she has tried to manage the noise levels with Mr. Mitrokostas over the years. Ms. Giangrasso stated this is an issue with 15 neighbors, not three. It was the attorney representing Finally Dino's who proposed the loss of amplification on the outside deck. Ms. Giangrasso indicated she is not against Dino's, but is against listening to the loud music for the past five years. Ms. Giangrasso stated the residents cannot enjoy their home decks, back yards or enjoy a quiet time. It is the recommendation of Ms. Giangrasso to go back to what the attorney originally requested no outside amplification.

Duncan Campbell of 4 Mohican Avenue, an abutter to the subject establishment reiterated what has been going on for the last 3 to 4 years. It has been 20 hours per week from Memorial Day to Labor Day and it has interrupted his time. Mr. Campbell indicated he is unsure if the remedies will work. We are just trying to make this more amenable to the neighborhood explained Mr. Campbell.

Douglas Fagan of 212 Wheeler Road conveyed there have been valid points made this evening. If you reside in an entertainment neighborhood, the key is compromise and it is hopeful the neighbors and the Board of Selectmen will seek a reasonable compromise.

Stephen Jarvis a resident of Pequot Avenue stated the neighbors have no objection to the music if the volume was at a satisfactory level. Everyone should understand, the residents live in their homes, and the loud music is not acceptable. Mr. Jarvis recommended having those involved return for the testing review to maintain a decent level.

Michael Talbot also noted the residents put up with a lot of noise, trash, and trucks, but the music is constant and highly disruptive and at the very least the residents need to be assured this is going to work.

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## **APPOINTMENTS & HEARINGS**

Public Hearing: Request for modification of entertainment license, Barnstable Pizza & Pasta Co. Inc., dba Finally Dino's: (continued)

Ms. Giangrasso urged the Board of Selectmen to maintain the proposal suggested by the attorney representing Mr. Mitrokostas to not amplify the music outdoors.

In closing Attorney Kirrane indicated when he was present with his client it was clear as to where the conversation was going. Mr. Kirrane indicated affirmatively that we (attorney and client) volunteered to eliminate the amplification in the outside patio of Finally Dino's to allow an opportunity for Mr. Mitrokostas to take corrective measures before the Board would vote to deny the license. It was disclosed that Mr. Mitrokostas remitted a 3 page email to Michael Talbot; resident of 3 Pequot Avenue on August 10, 2016 regarding a date proposed to test and measure certain levels of amplification, to give the neighbors an opportunity to participate in the process. Mr. Kirrane indicated there was no response to the email and it appeared there was no interest in participating in the testing process. The in-house system was tested with an acoustic drum set, an equivalent of a live band.

Mr. Mitrokostas stated the system was tested utilizing an acoustic trio for approximately ten minutes to ensure the connections worked. There was no amplification. Mr. Mitrokostas indicated he has expended over \$20,000 to rectify this concern. There have been various discussions with the neighbors, and the email of note which did not receive a response. Mr. Mitrokostas stated he has taken every measure to create an environment his neighbors would be happy with and has done the best to fix the sound issue. Mr. Mitrokostas urged the Board to grant him the opportunity to move forward for the remainder of the summer, to let the new system run and to give his establishment the opportunity to show the system is working.

Being no further comment, the Board motioned to close the Public Hearing.

**Motion made by Selectman Sherman to close the Public Hearing.**

**Motion seconded by Selectman Cotton.**

**VOTE: Unanimous. 5-0.**

### **Roll Call Vote:**

Selectman Gottlieb, yes  
Selectman Cotton, yes

Selectman Cahalane, yes  
Selectman Sherman, yes

Selectman O'Hara, yes  
Opposed, none



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## **APPOINTMENTS & HEARINGS**

Public Hearing: Request for modification of entertainment license, Barnstable Pizza & Pasta Co. Inc., dba Finally Dino's: (continued)

It was agreed it is unfortunate this matter has taken so long to rectify. However, it was agreed Mr. Mitrokostas has done an admirable job and deserves the opportunity to give this system a trial. Mr. Mitrokostas is a good businessman within the Mashpee community and his presentation at the last Selectmen's Meeting regarding remediation was deemed impressive. With two weeks remaining in the summer, it was agreed the establishment should have a piloting period.

It was disclosed the Town recently purchased a decibel meter and would be monitoring the site. If there is a first offense, the licensee would be required to lower the music, with a second offense there is no course for the remainder of this calendar year.

**Motion made by Selectman Cahalane to allow Barnstable Pizza & Pasta Co., Inc. d/b/a Finally Dino's; LN-2016-0048 to provide for the testing of the new amplification system over the next two weekends subject to; no increase in the ambient noise, plus or minus 10% measured by the Town of Mashpee at the intersection of Sasacuss Road and Pequot Avenue.**

**Motion seconded by Selectman Cotton.**

**VOTE: Unanimous. 5-0.**

### **Roll Call Vote:**

Selectman Gottlieb, yes  
Selectman Cotton, yes

Selectman Cahalane, yes  
Selectman Sherman, yes

Selectman O'Hara, yes  
Opposed, none

Mr. Pizzo indicated the ambient noise level is reasonable. However, in his opinion it is critical for the one conducting the measurement to fully understand the process. If there is testing with live bands Mr. Pizzo requested to be in attendance.

Recess: 7:51 p.m. Reconvene: 7:54 p.m.

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Catherine Laurent, DPW Director:

Review and approval of Change Order #3, Route 151 Corridor Engineering Design:

Catherine Laurent, Director of Public Works was in attendance to request the Board support Change Order #3 to the agreement for the engineering design contract for reconstruction and improvements to Route 151. The total amount of the change order is \$236,713.12 to be earmarked for the development of required ROW plans due to anticipated construction impacts which include the structural design of three boardwalks required to cross wetlands, the structural design of seven masonry retaining walls needed as a result of topography and wetlands and additional engineering related to environmental permitting.

Ms. Laurent indicated the Town through the Cape Cod Transportation Improvement Plan is responsible for the project engineering and design. Costs would be assumed through Chapter 90 funding. The Town of Mashpee receives approximately \$600,000 per year in Chapter 90 funding. The balance in this account is approximately \$3 million. With MassDOT approval, the \$9.2 million construction project would be paid through the TIP program.

It was noted the Town approved the conceptual plan for this project at their April 2, 2015 meeting. Plans include the extension of the existing multi-use path located on the north side of Route 151 at the Old Barnstable Road intersection to the Town line, and a 5' sidewalk from Old Barnstable Road to Winslow Drive.

Temporary construction easements are needed from private properties to develop the ROW plans in accordance with MassDOT requirements. The extension on the multi-use path will provide a continuous 10' off-road path from the Town Line to Market Street at Mashpee Commons. The project is currently scheduled for construction in 2020-2021.

Acceptance of this change order will increase the contract to \$578,213.12 for engineering design through 25%. An additional change order will be required for work through 100% of the design/construction plans. Any increase in construction costs would be absorbed by the TIP program.

This project will provide for safe accommodations for pedestrians and recreational bicyclists in multi-neighborhoods adjacent to Route 151, and support the access to all three Mashpee Schools, the Mashpee Public Library, the Mashpee Senior Center, the Boys and Girls Club and numerous businesses.

In addition to promoting public safety, Rodney C. Collins, Town Manager recommended the Board move forward with this change order to accommodate the design requirement of Mass DOT. The project will nearly complete the Mashpee corridor with the exception of access to the Barnstable County Fairgrounds. It was noted there is a delay as the Town of Falmouth is not moving forward with this project at this time.

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Catherine Laurent, DPW Director:

Review and approval of Change Order #3, Route 151 Corridor Engineering Design: (continued)

**Motion made by Selectman Sherman to approve Change Order #3 associated to the Route 151 Corridor Engineering Design in the amount of \$236,713.12 as recommended.**

**Motion seconded by Selectman Cotton.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Gottlieb, yes  
Selectman Cotton, yes

Selectman Cahalane, yes  
Selectman Sherman, yes

Selectman O'Hara, yes  
Opposed, none

Approval of temporary placement of Election signs and Town Meeting signs:

Correspondence was received from Deborah Dami, the Town Clerk dated August 17, 2016 requesting the Board allow the placement of election signs announcing the September 8, 2016 State Primary and the November 8, 2016 State Election. In addition to the two upcoming elections, the Town will commence its Annual Town Meeting on October 17, 2016.

Catherine Laurent was present to review this matter with members of the Board of Selectmen. Ms. Laurent indicated that it is important to remind residents and voters of the Town of Mashpee of the elections to encourage participation. The election boards are intended to be placed on Town property five days prior to the two elections. The sandwich-board signage would contain the dates, location and hours of operation for the September and November elections. In addition, "Election Day" signs would be placed in the apron areas of the Rotary which would include a "Town Meeting Tonight" sign with the time and place. Two "Early Voting" signs are intended to be placed in front of Town Hall and directly across the street on the lawn of the Archives. Both signs would have an arrow directing voters to the Town Hall building. Signage would also be placed at the Police/Fire complex and in the approach to the Rotary. All signage would be erected a few days in advance of the elections and promptly removed thereafter.

Rodney C. Collins Town Manager recommended the Board approve a "blanket vote" that is acceptable and an open ended authorization for elections and town meetings.

**Motion made by Selectman Cotton to approve the Placement of Election Signs as recommended.**

**Motion seconded by Selectman Sherman.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Gottlieb, yes  
Selectman Cotton, yes

Selectman Cahalane, yes  
Selectman Sherman, yes

Selectman O'Hara, yes  
Opposed, none

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## COMMUNICATIONS & CORRESPONDENCE

### Proclamation, Suicide Prevention Week:

The Proclamation naming the week of September 5-11, 2016 as "Suicide Prevention Week" was read aloud into the record.

**Motion made by Selectman Cahalane to proclaim the week of September 5 through 11, 2016 as "Suicide Prevention Week" in the Town of Mashpee.**

**Motion seconded by Selectman Cotton.**

**VOTE: Unanimous. 5-0.**

### **Roll Call Vote:**

Selectman Gottlieb, yes

Selectman Cotton, yes

Selectman Cahalane, yes

Selectman Sherman, yes

Selectman O'Hara, yes

Opposed, none

### FY 2018 Budget Schedule:

Rodney C. Collins, Town Manager remitted a budget preparation schedule to all Department Heads in preparation for the upcoming fiscal year 2018 operating budget. The deadline for the submission of all department operating budgets is Friday, September 30, 2016 at 4:00 p.m. Budgets are required to be submitted directly to the Town Manager via email format with attachments, and as in past practice into the MUNIS system. The FY18 budget calendar was outlined in the memorandum from the Town Manager to all Department Heads dated August 15, 2016.

In order to provide essential services it is request all Department Heads submit a budget request based upon mission critical and operational needs. With the reorganization and the creation of the Department of Natural Resources no increases are anticipated to fund new positions.

When asked if there is room for a Department head to present a case for additional resources, Rodney C. Collins, Town Manager indicated he is satisfied that at this time, the Town has met its operational needs. New position requests would be heard by the Town Manager on a case-by-case basis. However, it would be a difficult and high hurdle to overcome in fiscal year 2018.

### Selectmen Meeting Schedule, December 2016 through June 2017:

For informational purposes, the Board of Selectmen Meeting Schedule for December 2016 through June 2017 was considered.

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Review of correspondence relative to status of Trust Lands of the Mashpee Wampanoag Tribe:

At the last Selectmen's Meeting it was determined that letters would be sent to the Department of the Interior and to the Mashpee Wampanoag Tribal Council Chairman regarding the status of Tribal properties taken into Trust. Copies of the letters dated August 18, 2016 were disseminated in the Board of Selectmen's informational packet for additional review.

It was disclosed that at this time, the Town of Mashpee is honoring the Memorandum of Understanding (MOU) between the Town and Tribe with respect to public safety.

**NEW BUSINESS**

Review of Draft #2 of the October 2016 Annual Town Meeting Warrant, to include additional Warrant articles proposed for submission by the Board of Selectmen:

The Board of Selectmen conducted an initial review of Draft #2 of the October 2016 Annual Town Meeting Warrant dated August 18, 2016. Amendments to Draft #1 were identified in the revised document. The Board conducted a review of the warrant. It is the intention of the Board to execute the warrant at their September 11, 2016 meeting.

Proposed articles for the warrant include the appropriation and transfer of revenue available for appropriation to fund the Firefighters Union Contract settlement, the creation of the position of Administrative Secretary within the Recreation Department Kids Klub to be funded under the Enterprise Account. It was noted this position was inadvertently omitted under Article 11 of the May 1, 2000 Annual Town Meeting article which authorized the transfer of various Kids Klub positions to the Town's salary schedule. The third proposed article would raise and appropriate or transfer from available funds the sum of \$200,000 for the purpose of developing the wastewater treatment facility loadings, conceptual design/initial equipment sizing and process selection, the recharge beds conceptual design and initiating the groundwater discharge permit application process and scoping with the Department of Environmental Protection. This is a part of the process to advance the design of the Site 4 property adjacent to the Transfer Station.

It was reported the Wastewater Plan has been considered by the Capital Improvement Program (CIP) Committee. However, a project of this magnitude was deemed too large a task for the CIP. In reviewing soft solutions it was reported that a pilot program using permeable reactive barriers (PRB's) has recently been federally funded. A brief discussion followed with respect to the wastewater project and the aquaculture adaptive management component. It was agreed the Board would further review the shellfish remediation project to obtain full disclosure on this program. It was recommended the Board defer the wastewater appropriation for consideration at the May Town Meeting. The Town at this time is approximately one year behind the five year phase 1 implementation schedule. This matter will be re-visited at the next meeting.

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Review of Draft #2 of the October 2016 Annual Town Meeting Warrant, to include additional Warrant articles proposed for submission by the Board of Selectmen: (continued)

As discussion continued it was noted the town meeting trend has generally appropriated budget and financial matters in May, and non-financial matters unless deemed emergency in nature to the October warrant. This process has allowed the Town of Mashpee to maintain fiscal responsibility.

It was noted this fall, there are numerous financial articles proposed for the warrant. This includes monetary articles presented by the Community Preservation Committee, and the Waterways Commission. The Quashnet School window and door replacement project is deemed an emergency appropriation. If the Town does not move forward with the project it may jeopardize state funding assistance in the MSBA Accelerated Repair program. Due to the time constraints to finalize the warrant it was recommended the Board of Selectmen re-impose some discipline in the future to alter the cycle of matters to be considered for the fall warrant.

It was determined that a representative from the Community Preservation Committee and Habitat for Humanity would meet with the Board of Selectmen at their September 11, 2016 meeting to further review the two Habitat articles proposed for funding.

All other articles were deemed acceptable and would be considered by the Selectmen at their next meeting.

Review and execution of Renewal Agreement between the Town of Mashpee and Mashpee Commons, Limited Partnership for the Treatment and Disposal of Wastewater:

The Board of Selectmen reviewed the Agreement between the Town of Mashpee and Mashpee Commons, LP for the Treatment and Disposal of Wastewater. This is a renewal agreement for the treatment and disposal of municipal wastewater and sewage generated by certain Town owned properties through the contractor's sewage works and wastewater treatment facility.

**Motion made by Selectman Cahalane to approve and execute the Renewal Agreement between the Town and Mashpee Commons, LP for the treatment and disposal of wastewater effective July 1, 2016.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Gottlieb, yes  
Selectman Cotton, yes

Selectman Cahalane, yes  
Selectman Sherman, yes

Selectman O'Hara, yes  
Opposed, none

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Acceptance of resignation from the Community Preservation Committee, Diane Rommelmeyer:

Correspondence was received from Diane Rommelmeyer dated August 9, 2016 resigning from the Community Preservation Committee. Ms. Rommelmeyer was the former Town Accountant for the Town of Mashpee and also served on the Land Bank Committee.

**Motion made by Selectman Cahalane to accept the resignation from Diane Rommelmeyer from the Community Preservation Committee with regret, sending a letter to Ms. Rommelmeyer for her dedicated service to the Town of Mashpee.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Gottlieb, yes	Selectman Cahalane, yes	Selectman O'Hara, yes
Selectman Cotton, yes	Selectman Sherman, yes	Opposed, none

Acceptance of resignation from the Mashpee Economic Development and Industrial Corporation, Theresa "Terrie" M. Cook:

The Selectmen were in receipt of a letter of resignation dated August 8, 2016 from Theresa "Terrie" Cook from her position as an at-large member of the Economic Development and Industrial Corporation (EDIC) effective August 9, 2016. Mrs. Cook previously served on the School Committee, the Board of Selectmen and most recently the Finance Committee.

**Motion made by Selectman Cahalane to accept the resignation of Theresa Cook from the EDIC with regret, sending a letter of appreciation to Mrs. Cook for her dedicated service to the Town of Mashpee.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Gottlieb, yes	Selectman Cahalane, yes	Selectman O'Hara, yes
Selectman Cotton, yes	Selectman Sherman, yes	Opposed, none

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Acceptance of resignation from the Mashpee Cultural Council, Madeleine Walsh:

A letter of resignation was received from Madeleine Walsh dated August 3, 2016 resigning from the Cultural Council at the end of her three-year term on July 8, 2016.

**Motion made by Selectman Sherman to accept the resignation from Madeleine Walsh from the Mashpee Cultural Council with regret.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Gottlieb, yes	Selectman Cahalane, yes	Selectman O'Hara, yes
Selectman Cotton, yes	Selectman Sherman, yes	Opposed, none

Approval of appointment to the Planning and Construction Committee, Thomas J. O'Neill:

A letter of interest dated July 19, 2016 was received from Thomas J. O'Neill to serve on the Planning & Construction Committee. Mr. O'Neill has qualifications, experience and a work history in the field of architecture. Communication was received from Rodney C. Collins; Town Manager dated August 16, 2016 highly recommending Mr. O'Neill's appointment.

**Motion made by Selectman Cahalane to appoint Thomas J. O'Neill to the Planning & Construction Committee as recommended.**

**Motion seconded by Selectman Sherman.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Gottlieb, yes	Selectman Cahalane, yes	Selectman O'Hara, yes
Selectman Cotton, yes	Selectman Sherman, yes	Opposed, none

Approval of appointment to the Human Services Committee, Ebony Steele:

At their meeting of August 18, 2016, the Human Services Committee voted to recommend the appointment of Ebony Steele to the Human Services Committee. A letter of interest from Ms. Steele dated March 23, 2016 was contained in the Selectmen's informational packet for additional review.

**Motion made by Selectman Cahalane to appoint Ebony Steele to the Human Services Committee as recommended.**

**Motion seconded by Selectman Cotton.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Gottlieb, yes	Selectman Cahalane, yes	Selectman O'Hara, yes
Selectman Cotton, yes	Selectman Sherman, yes	Opposed, none



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Adjournment:

**Motion made by Selectman Sherman to adjourn at 8:44 p.m.**

**The Board will enter into Executive Session at this time for the purpose of discussing contract negotiations between Town of Mashpee and Mashpee Permanent Fire Fighters Association, IAFF Local 2519, after which, the Board may reconvene in Public Session to vote on this matter.**

**Motion seconded by Selectman Cotton.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

**Selectman Gottlieb, yes  
Selectman Cotton, yes**

**Selectman Cahalane, yes  
Selectman Sherman, yes**

**Selectman O'Hara, yes  
Opposed, none**

Respectfully submitted,

Kathleen M. Soares  
Secretary to the Board of Selectmen

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Meeting re-convened: 8:56 p.m.

Update on contract negotiations between Town of Mashpee and Mashpee Permanent Fire Fighters Association, IAFF Local 2519:

**Motion made by Selectman O'Hara to ratify the terms of agreement between the Town of Mashpee and the Mashpee Permanent Fire Fighters, IAFF Local 2519 to present to the October 2016 Town Meeting, and authorize the Town Manager to execute the Memorandum of Agreement between the respective parties as presented.**

**Motion seconded by Selectman Sherman.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Gottlieb, yes  
Selectman Cotton, yes

Selectman Cahalane, yes  
Selectman Sherman, yes

Selectman O'Hara, yes  
Opposed, none

Adjournment:

**Motion made by Selectman Sherman to adjourn at 8:57 p.m.**

**Motion seconded by Selectman Cotton.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Gottlieb, yes  
Selectman Cotton, yes

Selectman Cahalane, yes  
Selectman Sherman, yes

Selectman O'Hara, yes  
Opposed, none

Respectfully submitted,

Kathleen M. Soares  
Secretary to the Board of Selectmen